

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MOBIUS MANAGEMENT SYSTEMS, INC.,)
)
)
Plaintiff,)
)
)
v.) C.A. No. 05-346 SLR
)
)
ACARTUS, INC.,)
)
)
Defendant.)

STIPULATION AND ORDER

It is hereby stipulated and agreed by plaintiff Mobius Management Systems, Inc. and defendant Acartus, Inc., through their undersigned counsel and subject to the approval of the Court, that the date by which defendant must answer, move or otherwise respond to the Complaint is extended to and including August 21, 2005. It is further stipulated and agreed, subject to the approval of the Court, that the date by which defendant is to respond to expedited discovery is extended to and including August 21, 2005.

THE BAYARD FIRM

MORRIS, NICHOLS, ARSHT & TUNNELL

/s/ Kurt M. Heyman

Kurt M. Heyman (#3054)
Linda E. Beebe (#4634)
222 Delaware Avenue
Suite 900
P.O. Box 25130
Wilmington, DE 19899-5130
(302) 655-5000
kheyman@bayardfirm.com
lbeebe@bayardfirm.com
Attorneys for Plaintiff
Mobius Management Systems, Inc.

/s/ James W. Parrett

Mary B. Graham (#2256)
James W. Parrett, Jr. (#4292)
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
mgraham@mnat.com
jparrett@mnat.com
Attorneys for Defendant
Acartus, Inc.

OF COUNSEL:

KRAMER LEVIN NAFTALIS
& FRANKEL LLP
Randy Lipsitz
Jonathan M. Wagner
Norman C. Simon
1177 Avenue of the Americas
New York, NY 10036
(212) 715-9100

OF COUNSEL:

JONES DAY
Regan Fay
Meredith M. Wilkes
North Point
901 Lakeside Avenue
Cleveland, OH 44114-1190
(216) 586-3939

SO ORDERED THIS ____ day of July, 2005

The Honorable Sue L. Robinson
United States District Judge

474866

CERTIFICATE OF SERVICE

I hereby certify that on July 19, 2005, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to the following: Kurt M. Heyman, Esq.

Additionally, I hereby certify that true and correct copies of the foregoing were caused to be served on July 19, 2005 upon the following individuals in the manner indicated:

BY HAND

Kurt M. Heyman, Esq.
Linda E. Beebe, Esq.
THE BAYARD FIRM
222 Delaware Avenue
Suite 900
Wilmington, Delaware 19899-5130

/s/ James W. Parrett, Jr. (#4292)
Morris, Nichols, Arsh & Tunnell
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
JParrett@mnat.com